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ABSTRACT

An executive summary of the results of a national study of the state education agencies' (SEAs) use of funds provided by the 1974 amendments to Title VII of the Elementary and Secondary Education Act are presented. The study was undertaken to (1) describe and analyze SEA policies and activities regarding bilingual education, (2) describe and analyze the SEA-level management structure for the coordination of technical assistance, and (3) provide information on technical management and assistance activities the Department of Education may use to help SEA grantees assist local schools in building their capacity to provide bilingual education services to language minority students. The study involved a literature review, analysis of Title VII grant applications submitted by SEAs, and case studies of the implementation of Title VII grants in nine states. The results presented include an examination of the allocation and distribution of grant funds, SEA use of grant funds, issues appearing to merit legislative or regulatory attention, including Title VII administrative procedures, service delivery, oversight responsibilities, federal guidance for SEAs, grant versus contract funding of support centers, and differential fiscal support. (MSE)

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DESCRIPTIVE ANALYSIS OF TITLE VII-FUNDED STATE EDUCATION AGENCY ACTIVITIES

EXECUTIVE SUMMARY

(Reference 7706-83-4690)

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DESCRIPTIVE ANALYSIS OF TITLE VII-FUNDED STATE EDUCATION AGENCY ACTIVITIES

EXECUTIVE SUMMARY

Background

The 1974 Amendments to Title VII of the Elementary and Secondary Education Act included a provision to fund State Education Agencies (SEAs) to "coordinate technical assistance to local Title VII programs." Within this overall mission, however, the provisions were left relatively unrestrictive regarding what SEAs could or should do.

The Rules and Regulations, published in November, 1980, provide a listing of the activities SEAs are authorized to conduct and are listed below. Changes in allowable activities, as published in the Federal Register, April 9, 1984, are also noted below.

- Disseminate information pertaining to bilingual education.
- Coordinate assistance to LEAs in developing budget and funding strategies.
- Coordinate assistance to improve the assessment and use of curriculum materials.
- Disseminate information that will assist personnel funded under the act to meet state certification requirements (rescinded in 34 CFR Part 503, April, 1984).
- Coordinate the evaluation of the effectiveness of bilingual education programs.
- Coordinate assistance to improve the quality of instruction and management of bilingual education programs.
- Coordinate the selection and use of language proficiency measurement instruments.

- Coordinate assistance to improve the quality and reduce the costs of bilingual education data-gathering activities (rescinded in 34 CFR Part 503, April, 1984). (This activity could be included as an extra activity if approved in advance, as noted in last item below.)

- Coordinate the development of assessment procedures to determine LEA personnel training needs.

- Review grant applications and grantee performance of (bilingual education) elementary and secondary school programs within the state to determine need for coordination of technical assistance (new activity, 34 CFR Part 503.10(f), in 1984).

- Provide nondegree training to increase the skills of SEA personnel in carrying out their responsibilities (new activity, 34 CFR Part 503.10(i)).

- Perform other activities approved in advance by the Secretary that are designed to further the coordination of technical assistance provided.

In 1983, the U.S. Department of Education contracted with SRA Technologies to conduct a study of SEA practices. The objectives of the study were to (a) describe and analyze SEA policies and activites regarding bilingual education, (b) describe and analyze the SEA-level management structure for the coordination of technical assistance, and (c) provide information on technical management and assistance activities which the Department may use in order to help SEA grantees assist local schools in building their capacity to provide bilingual education services to language-minority students. The contract called for (a) conducting a review of pertinent literature, (b) analyzing Title VII grant applications submitted by SEAs, and (c) developing case studies of the implementation of Title VII SEA grants in nine states. Based on data from the applications and extensive on-site interviews in nine states, the following discussion highlights the findings of the study.

Allocation and Distribution of Title VII SEA Grant Funds

The amount of an SEA's Title VII grant for coordinating technical assistance is determined by criteria listed in the Title VII regulations. Each SEA is eligible for an amount up to 5% of the Title VII grants received by the local education agencies (LEAs) within the state. The size of individual grants to SEAs is roughly proportional to the states' enrollment of LEP students, although states with larger percentages of LEP students tend to receive smaller-than-proportional grants.

Total funding for SEA projects for coordinating technical assistance was $4,445,825 for fiscal year 1981, with 43 SEAs receiving funding. In fiscal year 1982, the amount was $4,663,942, with 42 SEAs participating. In 1983, 42 SEAs received a total of $3,820,915.

Some of the states receiving SEA grants for coordinating technical assistance also receive Title VII grants to train SEA personnel. SEAs may also apply for federal assistance from sources other than Title VII. Funds from the Refugee Assistance Act, Title IV of the Civil Rights Act, the Vocational Rehabilitation Act, and Chapter 1 of the Educational Consolidation and Improvement Act may therefore supplement the SEAs' bilingual education budgets. State funding is also frequently available. We found that, to a large extent, funding from these sources is commonly used for the same SEA activities that are funded by the Title VII grants for coordinating technical assistance.

SEA Use of Title VII Grant Funds

The regulatory language associated with Title VII SEA grants encourages SEAs to coordinate the technical assistance provided by other agencies such as Bilingual Education Multifunctional Support Centers (BEMSCs). However, without exception, personnel in the nine SEAs visited for this study also act as providers of technical assistance.

They reported that their highest professional priority is to answer the questions and fill the needs of the LEAs. All nine SEAs respond to requests by providing technical assistance whenever they have the capacity (e.g., time, resources). The use of BEMSCs is most often reserved for long-term commitments such as staff training or for areas of technical assistance where the SEA lacks the expertise or resources.

Legislative authority. State laws requiring services for language-minority students determine the type and extent of services LEP students will receive. States without legislation may accomplish the same objective through state board policy or through individual LEA initiative. State fiscal appropriations for bilingual education services and state bilingual education teacher certification requirements are two additional factors that define the scope and quality of services that a state will provide. Presently, of the 57 SEAs (i.e., 50 states, Washington, D.C., and six extra-state jurisdictions), 16 have state legislation which mandate special services for LEP students, 10 have laws permitting such services, and 30 do not have any laws relevant to providing services to LEP students. One state has legislation which prohibits the use of any language other than English for instruction in all schools, private, public, or parochial.

SEA capacity. The availability of financial support is a crucial aspect of SEA capacity. Often, a Title VII grant will enable a state to establish a bilingual education program office that might not have existed otherwise. This point is particularly true with SEAs that do not have state legislation requiring special services for LEP students. Similarly, the number and quality of staff can be critically affected by the presence or absence of a Title VII grant. Finally, as reported by SEA people interviewed, a Title VII grant can lend an SEA's bilingual education program office the credibility it needs to promulgate policy and provide leadership on a statewide basis.

Issues That Appear To Merit Legislative or Regulatory Attention

Allocation of funds. The nature of the funding formula for SEA grants provides a strong incentive for SEAs to help school districts apply for Title VII grants because, to the extent that these Title VII applications are successful, the SEA receives increased funding. Although this may not be a legitimate activity, it is not surprising that workshops on proposal preparation are being conducted using Title VII SEA grant monies.

Title VII administrative procedures. Many SEA staff members questioned the value of submitting proposals for SEA grants. They perceive that funding amounts are awarded by a formula rather than according to the substantive merits of the proposals. Although this perception is not entirely accurate (some LEAs receive less than the full 5%) SEA staff expressed the opinion that the processes of developing and evaluating proposals appear to be wasteful of scarce resources.

Our review of SEA applications indicated that they are largely pro forma documents. Because the system for awarding the grants is perceived as highly formalized, SEAs believe there is little incentive for them to express creative ideas or propose innovative activities. However, we did not have an opportunity to observe the negotiations that precede grant awards and it is possible that proposed activities weigh more heavily in this process than the SEAs recognize.

Service delivery. The services that SEAs actually deliver under Title VII differ in two important aspects from those that appear to be encourged by the program regulations. First, SEA personnel reported that they consider their clients to be all school districts that enroll LEP students even though many of the specific activities mentioned in the regulations suggest that they serve "programs of bilingual education funded under the Act" (i.e., Title VII). A second important departure

from one interpretation of the regulations is that the SEAs use their grants to provide technical assistance, not just to coordinate it. The extent to which they provide assistance varies (apparently according to the size of the grant), but, in our sample, SEAs did more provision than coordination of assistance.

Oversight responsibilities. SEA staff members indicated that they would like to see statutory and regulatory changes that would give them greater authority over funding decisions for local applications and greater responsibility for monitoring local program implementation. We judged this concern to be well intentioned and deserving of consideration—particularly in view of the very limited monitoring that OBEMLA is currently able to provide at the local level.

The rules and regulations, published in the Federal Register on April 9, 1984, authorize SEAs to review LEA projects, but only "for the purpose of determining the need to coordinate technical assistance to these programs." SEA respondents voiced a desire for a more substantive role in project monitoring activities.

Federal guidance for SEAs. Several interviewees expressed a wish for more frequent contact with OBEMLA. They would like to be more promptly informed of the Title VII grants to local districts in their states than they have been in recent years. While they know which LEAs submitted application for funding (since review of applications is a required SEA activity), they claim they learned about which LEAs were successful through "the grapevine," sometimes never receiving official notification. Final negotiated contract amounts and other details had to be obtained from the LEAs. SEAs also wished that they would be better informed of OBEMLA monitoring visits to districts in their states, and would welcome more extensive feedback from OBEMLA on their own performance.

Grant versus contract funding of support centers. The recent shift from BESCs, funded by grants, to BEMSCs, funded by contracts, has occasioned many problems. At present, the BEMSCs can only provide services explicitly defined in their contracts. They cannot conduct workshops, for example, on topics that have emerged as new areas of need—unless they go to the trouble of obtaining formal modifications in their contracts. This lack of flexibility has reduced the usefulness of BEMSCs as assistance providers, according to our SEA informants. However, since BEMSCs are in their first year of operation, the validity of this judgment remains to be tested.

Differential fiscal support. Fiscal support for SEAs is currently based on a simple percentage of the LEA grants in the state. This type of Title VII support clearly favors states that have large numbers of LEA grants. The April, 1984, regulations state: "The actual amount to an SEA is based on the need to coordinate technical assistance provided by other agencies." However, this statement is preceded by "within this limit (5% of the total amount paid to LEAs)." States with few LEA grants receive too little money to mount comprehensive efforts. Particularly in states where there is little state-level commitment to the education of LEP students, some minimum funding level is required to reach the "critical mass" where an appropriate level of services can be provided.

This argument was voiced most strongly by SEA personnel in states that receive less than $25,000 for coordinating technical assistance. However, their perception of need extends beyond coordinating technical assistance to elementary and secondary schools that are carrying out or proposing to carry out programs of bilingual education assisted under the Act. The common perception of the function of SEA Bilingual Education Offices is to coordinate and to provide technical assistance to all schools that may request their services. This perception is shared by most SEA personnel interviewed during the course of this study.